

#13



F A X C O V E R

*****OFFICIAL FAX*****

Date: January 23, 2003

Number of pages (including cover):12

To: Box Duplicate OIPE, U.S. Patent and Trademark Office

Fax No.: 703-746-4060

Serial No.: 10/017,905

Title: INFLAMMATORY MARKERS AS TOOLS IN THE DETECTION AND PREVENTION OF DIABETES MELLITUS AND AS TOOLS TO AID IN THE SELECTION OF AGENTS TO BE USED FOR THE PREVENTION AND TREATMENT OF DIABETES

From: Edward R. Gates

Direct dial: 617.573.7832

Our File #: B00801.70238.US

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22207-2327, FAX number 703-746-4060, in accordance with 37 C.F.R. §1.6(d), on the 23rd day of January, 2003.

Edward R. Gates

ORIGINAL DOCUMENTS WILL NOT BE MAILED.

MESSAGE: Transmitted herewith Request for Substitute Papers and Substitute Papers.

This transmission contains confidential information intended for use only by the above-named recipient. Reading, discussing, distributing, or copying this message by anyone other than the named recipient, or his or her employees or agents, is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone (collect), and return the original message to us at the address below via the U.S. Postal Service.

IF YOU DID NOT RECEIVE ALL OF THE PAGES OF THIS TRANSMISSION, OR IF ANY OF THE PAGES ARE ILLEGIBLE, PLEASE CALL 617.720.3500 IMMEDIATELY.

Wolf Greenfield Fax Number: 617.720.2441

Wolf, Greenfield & Sacks, P.C. | 600 Atlantic Avenue | Boston, Massachusetts 02210-2206
617.720.3500 | fax 617.720.2441 | www.wolfgreenfield.com

PATENTS TRADEMARKS COPYRIGHTS TECHNOLOGY TRANSFERS LITIGATION



Jan 23 2003 11:04 P.02

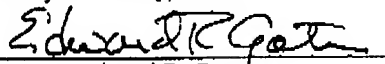
DOCKET NO.: B00801.70238.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul M. Ridker and JoAnn E. Mason
Serial No: 10/017,905
Confirmation. No.: 7653
Filed: December 14, 2001
For: INFLAMMATORY MARKERS AS TOOLS IN THE
DETECTION AND PREVENTION OF DIABETES MELLITUS
AND AS TOOLS TO AID IN THE SELECTION OF AGENTS
TO BE USED FOR THE PREVENTION AND TREATMENT OF
DIABETES
Examiner: Not Yet Assigned
Art Unit: 1646

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22207-2327, FAX number 703-746-4060, at the United States Patent and Trademark Office, Washington, D.C. 20231, in accordance with 37 C.F.R. §1.6(d), on the 23rd day of January, 2003.


Edward R. Gates

Box Duplicate OIPE
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22207-2327

Sir:

Transmitted herewith are the following documents:

- ☒ Request for Substitute Papers
- ☒ Copy of Notice to File Missing Parts of Non-Provisional Application
- ☒ Copy of Response to Notice to File Missing Parts
- ☒ Copy of Declaration executed by Paul M. Ridker and JoAnn E. Mason
- ☒ Copy of Return Receipt Postcard filed March 8, 2002
- ☒ Copy of Certificate of Mailing under 37 C.F.R. §1.8(a)
- ☒ Copy of the Check in the amount of \$495.00

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

Serial No.: 10/017,905
Docket No.: B00801.70238.US
Page 2 of 2

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Ridker et al., Applicants

By: Edward R. Gates
Edward R. Gates, Reg. No.: 31,616
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617)720-3500

Docket No. B00801.70238.US
Date: January 23, 2003
x01/23/03x



Jan 23 2003 11:05 P. 04

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
10/017,905	12/14/2001	Ridker, Paul	B0801/7238

Edward R. Gates
Wolf, Greenfield & Sacks, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston MA 02210

Title: ~~Inflammatory markers as tools in the detection and prevention of diabetes mellitus and as~~
~~tools aid in the selection of agents to be used for the prevention and treatment of diabetes~~

Date Mailed: 01/09/2003

Request for Substitute Papers

The papers filed on 03/18/2002 (certificate of mailing dated 03/08/2002) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Edward R Gates Registration No.: 31,616

Signature: Edward R Gates Date: 1/21/03

	Initials
File Folder	<input checked="" type="checkbox"/> <u>hmt</u>
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DOCKETED
JAN 13 2003



Jan 23 2003 11:05 P.05

1/27/905

By: 589111154

Title: Inflammatory Markers & Tools in the Detection and

Application of Ridker + Mason WGS Date: 03/24/02

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

- | | |
|---|--|
| <input type="checkbox"/> Mailing by Express Mail (37 CFR 1.10) | <input type="checkbox"/> Provisional Application Cover Sheet |
| <input type="checkbox"/> Express Mail Label No. _____ | <input type="checkbox"/> Multiple Dependent Claim Fee Sheet |
| <input type="checkbox"/> Patent Application | <input type="checkbox"/> Int. Decl. Statement, PTO Form 1449 |
| <input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional | <input type="checkbox"/> References Cited |
| incl. _____ pages, (_____ pgs) Specification, | <input checked="" type="checkbox"/> Priority Document(s) # _____ |
| (_____ pgs) Abstract, (_____ pgs) Claims (_____ # claims) | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts |
| <input checked="" type="checkbox"/> Design Patent Application | <input checked="" type="checkbox"/> Amendment/Response to Missing Pts. |
| <input checked="" type="checkbox"/> Declaration(s) of <u>Ridker + Mason</u> | <input type="checkbox"/> Petition for Ext. of Time (x2) |
| <input checked="" type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input type="checkbox"/> Letter to Official Draftsperson |
| <input type="checkbox"/> Utility Patent Application Transmittal | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Fee calculation sheet (x2) | <input checked="" type="checkbox"/> Brief (x3) |
| <input type="checkbox"/> CPA Transmittal | <input checked="" type="checkbox"/> Check for \$ <u>495.00</u> Check # <u>9711</u> |
| <input type="checkbox"/> Verified Statement claiming small entity status | <input checked="" type="checkbox"/> Transmittal Letter (x2) |
| <input type="checkbox"/> Assignment and Cover Sheet | <input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a) |

☒ Other Return Receipt Postcard

DATE MAILED March 8, 2002

JAN 23 2003

Jan 23 2003 11:07

P.07

ATTORNEY DOCKET NO: B0801/7238 (ERG/KA)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul M. Ridker and JoAnn E. Mason
Serial No. 10/017,905
Conf. No. 7653
Filed: December 14, 2001
For: INFLAMMATORY MARKERS AS TOOLS IN THE DETECTION AND
PREVENTION OF DIABETES MELLITUS AND AS TOOLS TO AID IN
THE SELECTION OF AGENTS TO BE USED FOR THE PREVENTION
AND TREATMENT OF DIABETES
Examiner: Not Yet Assigned
Art Unit: 1646

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on the 8th day of March 2002.

Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. No. 48,915

Box Missing Parts
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

TRANSMITTAL LETTER

Transmitted herewith are the following documents:

- ☒ Copy of Notice to File Missing Parts of Non-Provisional Application
- ☒ Response to Notice to File Missing Parts
- ☒ Declaration executed by Paul M. Ridker and JoAnn E. Mason
- ☒ Check in the amount of \$495.00
- ☒ Return Receipt Postcard
- ☒ Certificate of Mailing under 37 C.F.R. §1.8(a)

Applicants' representative hereby petitions for a two-month extension of time under 37 C.F.R. §1.136(a), to and including March 24, 2002, for filing a response to the Notice to File Missing Parts mailed from the United States Patent and Trademark Office on January 24, 2002.

A check in the amount of \$495.00 is enclosed herein to cover the basic filing fee (\$370.00), the additional claim fees (\$60.00) and the Surcharge for the late oath/declaration filing fee (\$65.00). Please charge any additional fees that may be due, or credit any overpayment of fees, to our deposit account no. 23/2825. A duplicate of this sheet is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or Application Branch is respectfully requested to contact the undersigned at (617) 720-3500 (ext. 286), Boston, Massachusetts.

Respectfully submitted,

Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. No. 48,915
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211

Attorney's Doc. No.: B0801/7238 (ERG/KA)
Date: March 8, 2002
X03/24/0



Jan 23 2003 11:08 P.08

ATTORNEY DOCKET NO: B0801/7238 (ERG/KA)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul M. Ridker and JoAnn E. Mason
Serial No. 10/017,905
Conf. No. 7653
Filed: December 14, 2001
For: INFLAMMATORY MARKERS AS TOOLS IN THE DETECTION AND
PREVENTION OF DIABETES MELLITUS AND AS TOOLS TO AID IN
THE SELECTION OF AGENTS TO BE USED FOR THE PREVENTION
AND TREATMENT OF DIABETES
Examiner: Not Yet Assigned
Art Unit: 1646

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on the 8th day of March 2002.

Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. No. 48,915

Box Missing Parts
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

RESPONSE TO THE NOTICE TO FILE MISSING PARTS

This is in response to the Notice to File Missing Parts of Non-Provisional Application, mailed from the United States Patent and Trademark Office on January 24, 2002.

Attached is a Declaration for Patent Application executed by the inventors.

Also attached is a check for \$495.00 to cover the basic filing fee (\$370.00), the additional claim fees (\$60.00) and the Surcharge for the late oath/declaration filing fee (\$65.00). Please charge any additional fees that may be due, or credit any overpayment of fees, to our deposit account no. 23/2825.

Accordingly, Applicants believe that this document is responsive to the Notice to File Missing Parts of the above-identified Non-Provisional Application.

If any other information is needed, please contact the undersigned by phone (617-720-3500, Ext. 286) to expedite the further prosecution of this patent application.

Respectfully Submitted,

Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. No.: 48,915
WOLF, GREENFIELD & SACKS, P.C.

Attorney's Docket No.: B0801/7238 (ERG/KA) 600 Atlantic Avenue
Date: March 8, 2002 Boston, MA 02210-2211
X03/24/02



Jan 23 2003 11:08 P.09

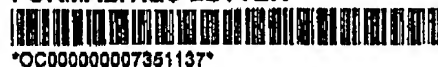
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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/017,905	12/14/2001	Paul M. Ridker	B0801/7238

CONFIRMATION NO. 7653

FORMALITIES LETTER



Edward R. Gates
Wolf, Greenfield & Sacks, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210

Date Mailed: 01/24/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$60.
 - \$18 for 2 total claims over 20.
 - \$42 for 1 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 495.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE